

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

JOSE JAVIER TORRES-RIVERIA,

Plaintiff,

v.

Civil Action No. 3:10CV889

UNITED STATES OF AMERICA,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on December 13, 2010, the Court conditionally docketed Plaintiff's action. On December 23, 2010, the December 3, 2010 Memorandum Order was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER - UNABLE TO FORWARD." Plaintiff's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

\_\_\_\_\_/s/ REP\_\_\_\_\_  
Robert E. Payne  
Senior United States District Judge

Date: January 24, 2011  
Richmond, Virginia